

Pascrell	Sabo	Tauscher
Pastor	Sanchez, Linda	Tauzin
Payne	T.	Taylor (MS)
Pearce	Sanchez, Loretta	Terry
Pelosi	Sanders	Thompson (CA)
Pence	Sandlin	Thompson (MS)
Peterson (MN)	Saxton	Tiahrt
Peterson (PA)	Schiff	Tierney
Petri	Schrock	Towns
Pickering	Scott (GA)	Turner (OH)
Pitts	Scott (VA)	Turner (TX)
Platts	Sensenbrenner	Udall (CO)
Pomeroy	Serrano	Udall (NM)
Porter	Shaw	Upton
Portman	Shays	Van Hollen
Price (NC)	Sherman	Velazquez
Quinn	Sherwood	Walden (OR)
Rahall	Shimkus	Walsh
Ramstad	Shuster	Wamp
Rangel	Simmons	Waters
Regula	Simpson	Watson
Rehberg	Skelton	Watt
Renzi	Slaughter	Waxman
Reyes	Smith (MI)	Weiner
Rodriguez	Smith (NJ)	Weldon (FL)
Rogers (KY)	Smith (WA)	Weldon (PA)
Rohrabacher	Snyder	Weller
Ros-Lehtinen	Solis	Wexler
Ross	Spratt	Whitfield
Rothman	Stark	Wilson (NM)
Roybal-Allard	Stearns	Wolf
Ruppersberger	Stenholm	Woolsey
Rush	Strickland	Wu
Ryan (OH)	Sullivan	Wynn
Ryan (WI)	Tancred	
Ryun (KS)	Tanner	

NAYS—59

Akin	Gingrey	Paul
Barrett (SC)	Goss	Putnam
Biggert	Hall	Radanovich
Bonilla	Hart	Reynolds
Bonner	Hayes	Rogers (AL)
Boozman	Hensarling	Rogers (MI)
Burgess	Hunter	Sessions
Camp	Issa	Shadegg
Cannon	Johnson, Sam	Smith (TX)
Cantor	Keller	Souder
Carter	King (IA)	Taylor (NC)
Chocola	Knollenberg	Thomas
Collins	Lewis (CA)	Tiberi
Cubin	Linder	Toomey
Culberson	Mica	Vitter
DeLay	Miller (FL)	Wicker
Everett	Miller (MI)	Wilson (SC)
Flake	Miller, Gary	Young (AK)
Franks (AZ)	Ose	Young (FL)
Garrett (NJ)	Oxley	

NOT VOTING—29

Ballenger	Green (WI)	McCollum
Bell	Gutierrez	Nethercutt
Burns	Hoekstra	Pombo
Chabot	Isakson	Pryce (OH)
DeMint	Jackson-Lee	Royce
Dooley (CA)	(TX)	Schakowsky
Fletcher	King (NY)	Stupak
Ford	LaHood	Sweeney
Frost	Lampson	Thornberry
Gephardt	Lantos	Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1941

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will now resume on motions to instruct in the following order:

H.R. 1308, by the yeas and nays;

H.R. 1, by the yeas and nays.

MOTION TO INSTRUCT CONFEREES
ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT
OF 2003

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 1308 offered by the gentlewoman from California (Ms. WOOLSEY) on which the yeas and nays were ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from California (Ms. WOOLSEY).

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 197, nays 208, not voting 29, as follows:

[Roll No. 572]

YEAS—197

Abercrombie	Grijalva	Oberstar
Ackerman	Hall	Obeys
Alexander	Harman	Olver
Allen	Hastings (FL)	Ortiz
Andrews	Hill	Owens
Baca	Hinchey	Pallone
Baird	Hinojosa	Pascrell
Baldwin	Hoeffel	Pastor
Ballance	Holden	Payne
Becerra	Holt	Pelosi
Bereuter	Honda	Peterson (MN)
Berkley	Hooley (OR)	Pomeroy
Berman	Hoyer	Price (NC)
Berry	Inslee	Rahall
Bishop (GA)	Israel	Rangel
Bishop (NY)	Jackson (IL)	Reyes
Blumenauer	Jefferson	Rodriguez
Boswell	John	Ross
Boucher	Johnson, E. B.	Rothman
Boyd	Jones (OH)	Roybal-Allard
Brady (PA)	Kanjorski	Ruppersberger
Brown (OH)	Kaptur	Rush
Brown, Corrine	Kennedy (RI)	Ryan (OH)
Capps	Kildee	Sabo
Capuano	Kilpatrick	Sanchez, Linda
Cardin	Kind	T.
Cardoza	Kleczka	Sanchez, Loretta
Carson (IN)	Kucinich	Sanders
Carson (OK)	Langevin	Sandlin
Case	Larsen (WA)	Schiff
Castle	Larson (CT)	Scott (GA)
Clay	Leach	Scott (VA)
Clyburn	Lee	Serrano
Conyers	Levin	Sherman
Cooper	Lewis (GA)	Skelton
Costello	Lipinski	Slaughter
Cramer	Lofgren	Smith (WA)
Crowley	Lowe	Snyder
Cummings	Lucas (KY)	Solis
Davis (AL)	Lynch	Spratt
Davis (CA)	Majette	Stark
Davis (FL)	Maloney	Stenholm
Davis (IL)	Markey	Strickland
Davis (TN)	Marshall	Tanner
DeFazio	Matheson	Tauscher
DeGette	Matsui	Taylor (MS)
Delahunt	McCarthy (MO)	Thompson (CA)
DeLauro	McCarthy (NY)	Thompson (MS)
Deutsch	McDermott	Tierney
Dicks	McGovern	Towns
Dingell	McIntyre	Turner (TX)
Doggett	McNulty	Udall (CO)
Doyle	Meehan	Udall (NM)
Edwards	Meek (FL)	Upton
Ehlers	Meeks (NY)	Van Hollen
Emanuel	Menendez	Velazquez
Engel	Michaud	Waters
Eshoo	Millender	Watson
Etheridge	McDonald	Watt
Evans	Miller (NC)	Waxman
Farr	Miller, George	Weiner
Fattah	Mollohan	Wexler
Filner	Moore	Woolsey
Frank (MA)	Moran (VA)	Wu
Gonzalez	Nadler	Wynn
Gordon	Napolitano	
Green (TX)	Neal (MA)	

NAYS—208

Aderholt	Gilchrest	Otter
Akin	Gillmor	Oxley
Bachus	Gingrey	Paul
Baker	Goode	Pearce
Barrett (SC)	Goodlatte	Pence
Bartlett (MD)	Goss	Peterson (PA)
Barton (TX)	Granger	Petri
Bass	Graves	Pickering
Beauprez	Greenwood	Pitts
Biggert	Gutknecht	Platts
Bilirakis	Harris	Pombo
Bishop (UT)	Hart	Porter
Blackburn	Hastings (WA)	Portman
Blunt	Hayes	Putnam
Boehlert	Hayworth	Quinn
Boehner	Hefley	Radanovich
Bonilla	Hensarling	Ramstad
Bonner	Herger	Regula
Bono	Hobson	Rehberg
Boozman	Hostettler	Renzi
Bradley (NH)	Houghton	Reynolds
Brady (TX)	Hulshof	Rogers (AL)
Brown (SC)	Hunter	Rogers (KY)
Brown-Waite,	Hyde	Rogers (MI)
Ginny	Issa	Rohrabacher
Burgess	Istook	Ros-Lehtinen
Burr	Janklow	Ryan (WI)
Burton (IN)	Jenkins	Ryun (KS)
Buyer	Johnson (CT)	Saxton
Calvert	Johnson (IL)	Schrock
Camp	Johnson, Sam	Sensenbrenner
Cannon	Jones (NC)	Sessions
Cantor	Keller	Shadegg
Capito	Kelly	Shaw
Carter	Kennedy (MN)	Shays
Chocola	King (IA)	Sherwood
Coble	Kingston	Shimkus
Cole	Kirk	Shuster
Collins	Kline	Simmons
Cox	Knollenberg	Simpson
Crane	Kolbe	Smith (MI)
Crenshaw	Latham	Smith (NJ)
Cubin	LaTourette	Smith (TX)
Culberson	Lewis (CA)	Souder
Cunningham	Lewis (KY)	Stearns
Davis, Jo Ann	Linder	Sullivan
Davis, Tom	LoBiondo	Tancred
Deal (CA)	Lucas (OK)	Tauzin
DeLay	Manzullo	Taylor (NC)
Diaz-Balart, L.	McCotter	Terry
Diaz-Balart, M.	McCrery	Thomas
Doolittle	McHugh	Tiahrt
Dreier	McInnis	Tiberi
Duncan	McKeon	Toomey
Dunn	Mica	Turner (OH)
Emerson	Miller (FL)	Vitter
English	Miller (MI)	Walsh
Everett	Miller, Gary	Wamp
Feeney	Moran (KS)	Weldon (FL)
Ferguson	Murphy	Weldon (PA)
Flake	Musgrave	Weller
Foley	Myrick	Whitfield
Forbes	Neugebauer	Wicker
Fossella	Ney	Wilson (NM)
Franks (AZ)	Northup	Wilson (SC)
Frelinghuysen	Norwood	Wolf
Gallely	Nunes	Young (AK)
Garrett (NJ)	Nussle	Young (FL)
Gerlach	Osborne	
Gibbons	Ose	

NOT VOTING—29

Ballenger	Green (WI)	McCollum
Bell	Gutierrez	Murtha
Burns	Hoekstra	Nethercutt
Chabot	Isakson	Pryce (OH)
DeMint	Jackson-Lee	Royce
Dooley (CA)	(TX)	Schakowsky
Fletcher	King (NY)	Stupak
Ford	LaHood	Sweeney
Frost	Lampson	Thornberry
Gephardt	Lantos	Visclosky

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GIBBONS) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1949

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1 offered by the gentleman from Ohio (Mr. BROWN) on which the yeas and nays were ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from Ohio (Mr. BROWN).

The vote was taken by electronic device, and there were—yeas 194, nays 209, not voting 31, as follows:

[Roll No. 573]

YEAS—194

Abercrombie	Green (TX)	Oberstar
Ackerman	Grijalva	Obey
Alexander	Harman	Oliver
Allen	Hastings (FL)	Ortiz
Andrews	Hill	Owens
Baca	Hinchey	Pallone
Baird	Hinojosa	Pascarell
Baldwin	Hoeffel	Pastor
Ballance	Holden	Payne
Becerra	Holt	Pelosi
Berkley	Honda	Pomeroy
Berman	Hooley (OR)	Price (NC)
Berry	Hoyer	Rahall
Bishop (GA)	Inslee	Rangel
Bishop (NY)	Israel	Reyes
Blumenauer	Jackson (IL)	Rodriguez
Boehlert	Jefferson	Ross
Boswell	Johnson, E. B.	Rothman
Boucher	Jones (OH)	Roybal-Allard
Boyd	Kanjorski	Ruppersberger
Brady (PA)	Kaptur	Rush
Brown (OH)	Kennedy (RI)	Ryan (OH)
Brown, Corrine	Kildee	Sabo
Capps	Kilpatrick	Sanchez, Linda
Capuano	Kind	T.
Cardin	Kleczka	Sanchez, Loretta
Cardoza	Kucinich	Sanders
Carson (IN)	Langevin	Sandlin
Carson (OK)	Larsen (WA)	Schiff
Case	Larson (CT)	Scott (GA)
Clay	Lee	Scott (VA)
Clyburn	Levin	Serrano
Conyers	Lewis (GA)	Sherman
Cooper	Lipinski	Skelton
Costello	Lofgren	Slaughter
Cramer	Lowe	Smith (WA)
Crowley	Lucas (KY)	Snyder
Cummings	Lynch	Solis
Davis (AL)	Majette	Spratt
Davis (CA)	Maloney	Stark
Davis (FL)	Markey	Stenholm
Davis (IL)	Marshall	Strickland
Davis (TN)	Matheson	Sullivan
Davis, Tom	Matsui	Tanner
DeFazio	McCarthy (MO)	Tauscher
DeGette	McCarthy (NY)	Taylor (MS)
Delahunt	McDermott	Thompson (CA)
DeLauro	McGovern	Thompson (MS)
Deutsch	McHugh	Tierney
Dicks	McIntyre	Towns
Dingell	McNulty	Turner (TX)
Doggett	Meehan	Udall (CO)
Doyle	Meek (FL)	Udall (NM)
Edwards	Meeks (NY)	Van Hollen
Emanuel	Menendez	Velazquez
Emerson	Michaud	Waters
Engel	Millender	Watson
Eshoo	McDonald	Watt
Etheridge	Miller (NC)	Waxman
Evans	Miller, George	Weiner
Farr	Mollohan	Wexler
Fattah	Moore	Woolsey
Filner	Moran (VA)	Wu
Frank (MA)	Nadler	Wynn
Gonzalez	Napolitano	
Gordon	Neal (MA)	

NAYS—209

Aderholt	Gilchrest	Otter
Akin	Gillmor	Oxley
Bachus	Gingrey	Paul
Baker	Goode	Pearce
Barrett (SC)	Goodlatte	Pence
Bartlett (MD)	Goss	Peterson (MN)
Barton (TX)	Granger	Peterson (PA)
Bass	Graves	Petri
Beauprez	Greenwood	Pickering
Bereuter	Gutknecht	Pitts
Biggert	Hall	Platts
Bilirakis	Harris	Pombo
Bishop (UT)	Hart	Porter
Blackburn	Hastings (WA)	Portman
Blunt	Hayes	Putnam
Boehner	Hayworth	Quinn
Bonilla	Hefley	Radanovich
Bonner	Hensarling	Ramstad
Bono	Herger	Regula
Boozman	Hobson	Rehberg
Bradley (NH)	Hostettler	Renzi
Brady (TX)	Houghton	Reynolds
Brown (SC)	Hulshof	Rogers (AL)
Brown-Waite,	Hyde	Rogers (KY)
Ginny	Issa	Rogers (MI)
Burgess	Istook	Rohrabacher
Burr	Janklow	Ros-Lehtinen
Burton (IN)	Jenkins	Ryan (WI)
Buyer	Johnson (CT)	Ryun (KS)
Calvert	Johnson (IL)	Saxton
Camp	Johnson, Sam	Schrock
Cannon	Jones (NC)	Sensenbrenner
Cantor	Keller	Sessions
Capito	Kelly	Shadeegg
Carter	Kennedy (MN)	Shaw
Castle	King (IA)	Shays
Chocola	Kingston	Sherwood
Coble	Kirk	Shimkus
Cole	Kline	Shuster
Collins	Knollenberg	Simmmons
Cox	Kolbe	Simpson
Crane	Latham	Smith (MI)
Crenshaw	LaTourette	Smith (NJ)
Cubin	Leach	Smith (TX)
Culberson	Lewis (CA)	Souder
Cunningham	Lewis (KY)	Stearns
Davis, Jo Ann	Linder	Tancred
Deal (GA)	LoBiondo	Tauzin
DeLay	Lucas (OK)	Taylor (NC)
Diaz-Balart, L.	Manzullo	Terry
Diaz-Balart, M.	McCotter	Thomas
Doolittle	McCrery	Tiaht
Dreier	McInnis	Tiberi
Duncan	McKeon	Toomey
Dunn	Mica	Turner (OH)
Ehlers	Miller (FL)	Upton
English	Miller (MI)	Vitter
Everett	Miller, Gary	Walden (OR)
Feeney	Moran (KS)	Walsh
Ferguson	Murphy	Wamp
Flake	Musgrave	Weldon (FL)
Foley	Myrick	Weldon (PA)
Forbes	Neugebauer	Weller
Fossella	Ney	Whitfield
Franks (AZ)	Northup	Wicker
Frelinghuysen	Norwood	Wilson (MN)
Gallegly	Nunes	Wilson (SC)
Garrett (NJ)	Nussle	Wolf
Gerlach	Osborne	Young (AK)
Gibbons	Ose	Young (FL)

NOT VOTING—31

Ballenger	Gutierrez	McCollum
Bell	Hoekstra	Murtha
Burns	Hunter	Nethercutt
Chabot	Isakson	Pryce (OH)
DeMint	Jackson-Lee	Royce
Dooley (CA)	(TX)	Schakowsky
Fletcher	John	Stupak
Ford	King (NY)	Sweeney
Frost	LaHood	Thornberry
Gephardt	Lampson	Visclosky
Green (WI)	Lantos	

□ 2005

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 6, the Energy Policy Act of 2003.

The form of the motion is as follows:

Ms. EDDIE BERNICE JOHNSON of Texas moves that (1) The House conferees shall be instructed to include in the conference report the provisions of section 837 of the Senate Amendment that concern reformulated gasoline in ozone nonattainment areas and ozone transport regions under the Clean Air Act.

(2) The House conferees shall be instructed to confine themselves to matters committed to conference in accordance with clause 9 of rule XXII of the House of Representatives with regard to any matters relating to ozone nonattainment and ozone transport.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

Mr. DAVIS of Florida. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1, the Medicare Prescription Drug and Modernization Act of 2003.

The form of the motion is as follows:

Mr. DAVIS of Florida moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 1 be instructed to reject the provisions of subtitle C of title II of the House bill.

PASS H.R. 3365, FALLEN PATRIOTS TAX RELIEF ACT

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, I rise this evening to express my strongest support for H.R. 3365, the Fallen Patriots Tax Relief Act. This bill addresses one of the most outrageous and unjust practices that I have ever witnessed as a Member of Congress.

Mr. Speaker, as a Member of this body, as a veteran of two wars, but more importantly as an American, it angers me to think that after losing a loved one in combat, a grieving family could be ordered to pay taxes on a gift presented to them on behalf of a grateful Nation.

Our men and women in uniform and the families who love them deserve the tremendous respect and gratitude of this Nation. We can show our respect and gratitude by repealing this onerous and unjust tax. Our Nation is truly grateful for the sacrifices of our men and women in uniform, and I urge my colleagues to join me in supporting our veterans and vote yes on H.R. 3365.